

Motion and Order to Dismiss Action For Personal Protection Order

Use this form if you do not want to continue with your petition for a personal protection order **and** the order has not been signed yet.

(Form CC 378)

INSTRUCTIONS FOR COMPLETING "MOTION TO DISMISS ACTION FOR PERSONAL PROTECTION ORDER"

Please print neatly. Press firmly since you are printing on 5 copies.

If you do not want to continue with your petition for a personal protection order and a personal protection order **has not been signed by the judge yet**, you can ask the court to dismiss your petition by filling out this form. Please follow the directions carefully.

Items A through F must be completed before your motion can be filed with the court. Please read the instruction for each item. Then fill in the correct information for that item on the form.

- A** Fill in the "Case No." the same way you did on Form CC 375 or Form CC 377.
- B** Fill in "petitioner" and "respondent" names and addresses in the same way you did on Form CC 375 or Form CC 377.
- C** Write in the same date you put in **I** on Form CC 375 or **F** on CC 377.
- D** Explain why you no longer want the court to enter a personal protection order.
- E** If you did not serve the respondent with a copy of the petition for personal protection order yet, check this box.
- F** Write in today's date and sign the form. Hand the form to the county clerk. The clerk will forward the order to the judge. Check back with the clerk to see if the order has been signed. If so, return to the clerk. The clerk will keep 2 copies and return the blue, pink, and yellow copies to you. Then complete either **G** or **H**.

Complete either **G or **H**.**

If you already served the respondent with a copy of the petition, you must serve the respondent with a copy of this form. Place the blue copy of this form in an envelope. Then go to the post office, ask the post office to mail it for you, and ask for a postal receipt. Then follow the instructions for **G** below.

- G** Write in the date that's on the postal receipt on both the pink and yellow copies and sign both copies. Attach the postal receipt to the yellow copy and return the yellow copy to the county clerk. You can either mail or take the yellow copy to the county clerk. Keep the pink copy for your records.

If you did not already serve the respondent with a copy of the petition, do not serve the respondent with a copy of this form. Follow the instructions for **H** below.

- H** Write in today's date and sign the form on both the pink and yellow copies. Hand the yellow copy to the county clerk. You may throw the blue copy away. Keep the pink copy for your records.

**STATE OF MICHIGAN
JUDICIAL CIRCUIT
COUNTY****MOTION AND ORDER TO DISMISS ACTION
FOR PERSONAL PROTECTION ORDER****A****CASE NO.**

Court address

Court telephone no.

B

Petitioner's name

Address and telephone no. where court can reach petitioner

v

Respondent's name, address, and telephone no.

MOTION**C**1. On _____ I filed a petition for a personal protection order.
Date**D**2. I ask the court to dismiss the action without prejudice because:
Explain why you want to dismiss your petition for personal protection order.

3. No order for personal protection has been entered.

E☐ 4. The respondent has not been served with a copy of the petition for personal protection order.

I declare that the statements above are true to the best of my information, knowledge, and belief.

F

Date

Petitioner's signature

ORDER**IT IS ORDERED** that the petition for personal protection order is dismissed without prejudice.

Date

Judge

Bar no.

CERTIFICATE OF MAILING

I certify that on this date I mailed a copy of this motion and order to the respondent at the last known address.

G

Date

Petitioner's signature

CERTIFICATE OF NONSERVICE

I certify that respondent was not served a copy of the petition for personal protection order and therefore I did not serve a copy of this motion and order on the respondent.

H

Date

Petitioner's signature